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WAR FOOD ADMINISTRATION

[WFO 117]

PART 1475—COTTON STORAGE FACILITIES
RESTRICTIONS FOR THE STORAGE OF COTTON

The fulfillment of requirements for the defense of the United States will result in a shortage of facilities for the storage of cotton for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1475.1 *Restrictions on the use of facilities for the storage of cotton*—(a) *Definitions.* (1) "Store" and "storage" mean the retention in a public warehouse bonded pursuant to the requirements of the United States Bureau of Customs.

(2) "Person" means any individual partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and any Federal, State or local governmental agency.

(3) "Director" means Director of Transportation, War Food Administration, Washington 25, D. C.

(4) "Restricted cotton" means any cotton which has its origin outside the limits of the continental United States and which is shipped in bonded custody of the United States Bureau of Customs into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(b) *Restrictions.* No person shall store or offer for storage any restricted cotton at any point in the United States, unless a permit for storage of such cotton has been obtained from the Director, or a representative of the United States Department of Agriculture, designated by him; *Provided, That,* the paragraph (b) shall not apply to any agency of the United States Government.

(c) *Application for the issuance of permits.* (1) Application for permits for the storage of restricted cotton required under (b) hereof shall be made to the Director, or representatives designated by him, in writing, stating the place of origin and the quantity of such restricted cotton, the place where storage is to take place, the approximate date the restricted cotton will be offered for storage, the approximate length of time it is proposed to store the restricted cotton at the point of storage, and the ultimate destination of such restricted cotton.

(2) A permit shall be issued upon an application made pursuant to (c) (1) if the Director, or his designated representatives, determine that there will be available adequate storage facilities at the time and place set forth in the application and that such storage will not prevent or interfere with the storage and distribution of cotton needed for essential uses; *Provided, That,* such permit may be issued with a limitation on the length of time such restricted cotton may be stored at the requested place of storage.

(d) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of cotton of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(f) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 117, Commodity Credit Corporation, War Food Administration, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and

such action shall be final. The provisions of this paragraph (g) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from using any cotton storage facilities. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, War Food Order No. 117, Commodity Credit Corporation, War Food Administration, Washington 25, D. C.

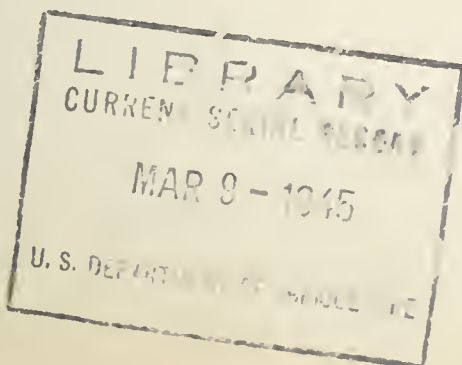
(k) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., October 18, 1944.

NOTE: All specific reporting and record-keeping requirements issued by the Director pursuant to this order will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 17th day of October 1944.

MARVIN JONES,
War Food Administrator.



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